

110TH CONGRESS  
1ST SESSION

# H. R. 2859

To assist States in making voluntary high quality full-day prekindergarten programs available and economically affordable for the families of all children for at least 1 year preceding kindergarten.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2007

Mrs. MALONEY of New York (for herself, Mr. HINCHEY, and Ms. SCHWARTZ) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To assist States in making voluntary high quality full-day prekindergarten programs available and economically affordable for the families of all children for at least 1 year preceding kindergarten.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prepare All Kids Act  
5 of 2007”.

1 **SEC. 2. HIGH QUALITY FULL-DAY PREKINDERGARTEN PRO-**  
2 **GRAMS.**

3 Chapter 8 of subtitle A of title VI of the Omnibus  
4 Budget Reconciliation Act of 1981 (Public Law 97–35;  
5 95 Stat. 357) is amended by inserting after subchapter  
6 C the following:

7 **“Subchapter D—High Quality Full-Day**  
8 **Prekindergarten Programs**

9 **“SEC. 661. FINDINGS AND PURPOSE.**

10 “(a) FINDINGS.—Congress makes the following find-  
11 ings:

12 “(1) Investments in children and early edu-  
13 cation should be a national priority.

14 “(2) The cost of high quality preschool is pro-  
15 hibitive for poor families and is a significant finan-  
16 cial strain for many working- and middle-class fami-  
17 lies.

18 “(3) State-funded preschool is the most rapidly  
19 expanding segment of the United States educational  
20 system, but in many States a lack of stable funding  
21 poses an enormous threat to the provision or con-  
22 tinuation of high quality preschool.

23 “(4) The provision of high quality prekind-  
24 garten is a cost-effective investment for children and  
25 for the Nation. Research shows that for every \$1 in-  
26 vested in high quality early childhood programs, tax-

1       payers save more than \$17 in crime, welfare, edu-  
2       cation, and other costs.

3               “(5) Fewer than half the Nation’s poor pre-  
4       school-age children attend preschool. The result is a  
5       significant preparation gap between poor and mid-  
6       dle-class children and between minority and white  
7       children.

8               “(6) High quality early education increases aca-  
9       demic success for schoolchildren who received that  
10      education by—

11              “(A) increasing high school graduation  
12      rates;

13              “(B) improving children’s performance on  
14      standardized tests;

15              “(C) reducing grade repetition; and

16              “(D) reducing the number of children  
17      placed in special education.

18              “(7) High quality early education promotes re-  
19      sponsible behavior by teens and adults who received  
20      that education by—

21              “(A) reducing crime, delinquency, and  
22      unhealthy behaviors such as smoking and drug  
23      use;

24              “(B) lowering rates of teen pregnancy;

1                   “(C) leading to greater employment and  
2                   higher wages for adults; and

3                   “(D) contributing to more stable families.

4           “(b) PURPOSE.—The purpose of this Act is to assist  
5 States in—

6                   “(1) making voluntary high quality full-day pre-  
7 kindergarten programs available and economically  
8 affordable for the families of all children for at least  
9 1 year preceding kindergarten; and

10                  “(2) making the prekindergarten programs  
11 available to a target population of children from  
12 families with incomes at or below 200 percent of the  
13 poverty line, for whom the prekindergarten programs  
14 will be free of charge.

15 **“SEC. 662. DEFINITIONS.**

16           “(a) In this Act:

17                   “(1) FULL-DAY.—The term ‘full-day’, used with  
18 respect to a program, means a program with a min-  
19 imum of a 6-hour schedule per day.

20                   “(2) POVERTY LINE.—The term ‘poverty line’  
21 has the meaning given the term in section 673(2) of  
22 the Community Services Block Grant Act (42 U.S.C.  
23 9902(2)) and includes any revision required by that  
24 section.

1           “(3) PREKINDERGARTEN.—The term ‘pre-  
2           kindergarten’ means a program that—

3                   “(A) serves children who are ages 3  
4                   through 5;

5                   “(B) supports children’s cognitive, social,  
6                   emotional, and physical development and ap-  
7                   proaches to learning; and

8                   “(C) helps prepare children for a success-  
9                   ful transition to kindergarten.

10           “(4) PREKINDERGARTEN TEACHER.—The term  
11           ‘prekindergarten teacher’ means an individual who—

12                   “(A) has a bachelor of arts degree with a  
13                   specialization in early childhood education or  
14                   early childhood development; or

15                   “(B) during the 6-year period following the  
16                   first date on which the individual is employed  
17                   as such a teacher under this Act, is working to-  
18                   ward that degree.

19           “(5) QUALIFIED PREKINDERGARTEN PRO-  
20           VIDER.—The term ‘qualified prekindergarten pro-  
21           vider’ includes a provider of a prekindergarten pro-  
22           gram, a Head Start agency, a provider of a child  
23           care program, a school, and a for-profit or nonprofit  
24           organization that—

1           “(A) is in existence on the date of the  
2           qualification determination; and

3           “(B) has met applicable requirements  
4           under State or local law that are designed to  
5           protect the health and safety of children and  
6           that are applicable to child care providers.

7           “(6) SECRETARY.—The term ‘Secretary’ means  
8           the Secretary of Health and Human Services.

9   **“SEC. 663. PROGRAM AUTHORIZATION.**

10       “(a) PREKINDERGARTEN INCENTIVE FUND.—The  
11       Secretary, in collaboration and consultation with the Sec-  
12       retary of Education, shall create a Prekindergarten Incen-  
13       tive Fund, to be administered by the Secretary of Health  
14       and Human Services.

15       “(b) GRANTS.—In administering the Fund, the Sec-  
16       retary shall award grants to eligible States, to pay for the  
17       Federal share of the cost of awarding subgrants to quali-  
18       fied prekindergarten providers to establish, expand, or en-  
19       hance voluntary high quality full-day prekindergarten pro-  
20       grams.

21   **“SEC. 664. STATE APPLICATIONS AND REQUIREMENTS.**

22       “(a) DESIGNATED STATE AGENCY.—To be eligible to  
23       receive a grant under this Act, a State shall designate a  
24       State agency to administer the State program of assist-  
25       ance for prekindergarten programs funded through the

1 grant, including receiving and administering funds and  
2 monitoring the programs.

3 “(b) STATE APPLICATION.—In order for a State to  
4 be eligible to receive a grant under this Act, the designated  
5 State agency shall submit an application to the Secretary  
6 at such time, in such manner, and containing such infor-  
7 mation as the Secretary may reasonably require, includ-  
8 ing—

9 “(1) an assurance that, for prekindergarten  
10 programs funded through the grant, the State will  
11 ensure that the qualified prekindergarten providers  
12 target children from families with incomes at or  
13 below 200 percent of the poverty line, and provide  
14 prekindergarten programs to children from those  
15 families free of charge;

16 “(2) an assurance that the State will award  
17 subgrants for prekindergarten programs that are  
18 sufficient to provide a high quality prekindergarten  
19 experience;

20 “(3) an assurance that not less than 25 percent  
21 of the qualified prekindergarten providers receiving  
22 such subgrants will be providers of community-based  
23 programs;

24 “(4) a description of the number of children in  
25 the State who are eligible for the prekindergarten

1 programs and the needs that will be served through  
2 the prekindergarten programs;

3 “(5) a description of how the State will ensure  
4 that the subgrants are awarded to a wide range of  
5 types of qualified prekindergarten providers;

6 “(6) a description of how the designated State  
7 agency will collaborate and coordinate activities with  
8 State-funded providers of prekindergarten programs,  
9 providers of federally funded programs such as Head  
10 Start agencies, local educational agencies, and child  
11 care providers;

12 “(7) a description of how the State will ensure,  
13 through a monitoring process, that qualified pre-  
14 kindergarten providers receiving the subgrants con-  
15 tinue to place priority on the target population of  
16 children described in paragraph (1), provide pro-  
17 grams that meet the standards of high quality early  
18 education, and use funds appropriately;

19 “(8) a description of how the State will meet  
20 the needs of working parents; and

21 “(9) a description of how the State will assist  
22 in providing professional development assistance to  
23 prekindergarten teachers and teacher aides.

24 “(c) FEDERAL SHARE.—The Federal share of the  
25 cost described in section 663(b) shall be 50 percent. The



1 State shall provide the non-Federal share of the cost in  
2 cash.

3 “(d) SUPPLEMENTARY FEDERAL FUNDING.—Funds  
4 made available under this Act may be used only to supple-  
5 ment and not supplant other Federal, State, local, or pri-  
6 vate funds that would, in the absence of the funds made  
7 available under this Act, be made available for early child-  
8 hood programs.

9 “(e) MAINTENANCE OF EFFORT.—A State that re-  
10 ceives a grant under this Act for a fiscal year shall main-  
11 tain the expenditures of the State for early childhood pro-  
12 grams at a level not less than the level of such expendi-  
13 tures of the State for the preceding fiscal year.

14 **“SEC. 665. STATE SET ASIDES AND EXPENDITURES.**

15 “(a) INFANT AND TODDLER SET ASIDE.—Notwith-  
16 standing sections 662 and 663, a State shall set aside not  
17 less than 10 percent of the funds made available through  
18 a grant awarded under this Act for the purpose of funding  
19 high quality early childhood development programs for  
20 children who are ages 0 through 3. Funds made available  
21 under this subsection may also be used for professional  
22 development for teachers and teacher aides in classrooms  
23 for children who are ages 0 through 3.

24 “(b) EXTENDED DAY AND EXTENDED YEAR SET  
25 ASIDE.—Notwithstanding section 663, a State shall set

1 aside not less than 10 percent of the funds made available  
2 through a grant awarded under this Act for the purpose  
3 of extending the hours of early childhood programs to cre-  
4 ate extended day and extended year programs.

5 “(c) ADMINISTRATIVE EXPENSES.—Not more than 5  
6 percent of the funds made available through such a grant  
7 may be used for administrative expenses, including moni-  
8 toring.

9 **“SEC. 666. LOCAL APPLICATIONS.**

10 “To be eligible to receive a subgrant under this Act,  
11 a qualified prekindergarten provider shall submit an appli-  
12 cation to the designated State agency at such time, in such  
13 manner, and containing such information as the agency  
14 may reasonably require, including—

15 “(1) a description of how the qualified pre-  
16 kindergarten provider will meet the diverse needs of  
17 children in the community to be served, including  
18 children with disabilities, whose native language is  
19 not English, or with other special needs, children in  
20 the State foster care system, and homeless children;

21 “(2) a description of how the qualified pre-  
22 kindergarten provider will serve eligible children who  
23 are not served through similar services or programs;

24 “(3) a description of a plan for involving fami-  
25 lies in the prekindergarten program;

1 “(4) a description of how children in the pre-  
2 kindergarten program, and their parents and fami-  
3 lies, will receive assistance through supportive serv-  
4 ices provided within the community;

5 “(5) a description of how the qualified pre-  
6 kindergarten provider collaborates with providers of  
7 other programs serving children and families, includ-  
8 ing Head Start agencies, providers of child care pro-  
9 grams, and local educational agencies, to meet the  
10 needs of children, families, and working families, as  
11 appropriate; and

12 “(6) a description of how the qualified pre-  
13 kindergarten provider will collaborate with local edu-  
14 cational agencies to ensure a smooth transition for  
15 participating students from the prekindergarten pro-  
16 gram to kindergarten and early elementary edu-  
17 cation.

18 **“SEC. 667. LOCAL PREKINDERGARTEN PROGRAM REQUIRE-**  
19 **MENTS.**

20 “(a) MANDATORY USES OF FUNDS.—A qualified pre-  
21 kindergarten provider that receives a subgrant under this  
22 Act shall use funds received through the grant to estab-  
23 lish, expand, or enhance prekindergarten programs for  
24 children who are ages 3 through 5, including—

1           “(1) providing a prekindergarten program that  
2           supports children’s cognitive, social, emotional, and  
3           physical development and approaches to learning,  
4           and helps prepare children for a successful transi-  
5           tion to kindergarten;

6           “(2) purchasing educational equipment, includ-  
7           ing educational materials, necessary to provide a  
8           high quality prekindergarten program; and

9           “(3) extending part-day prekindergarten pro-  
10          grams to full-day prekindergarten programs.

11          “(b) PERMISSIBLE USE OF FUNDS.—A qualified pre-  
12          kindergarten provider that receives a subgrant under this  
13          Act may use funds received through the grant to—

14               “(1) pay for transporting students to and from  
15               a prekindergarten program; and

16               “(2) provide professional development assist-  
17               ance to prekindergarten teachers and teacher aides.

18          “(c) PROGRAM REQUIREMENTS.—A qualified pre-  
19          kindergarten provider that receives a subgrant under this  
20          Act shall carry out a high quality prekindergarten pro-  
21          gram by—

22               “(1) maintaining a maximum class size of 20  
23               children, with at least 1 prekindergarten teacher per  
24               classroom;

1           “(2) ensuring that the ratio of children to pre-  
2           kindergarten teachers and teacher aides shall not ex-  
3           ceed 10 to 1;

4           “(3) utilizing a prekindergarten curriculum that  
5           is research- and evidence-based, developmentally ap-  
6           propriate, and designed to support children’s cog-  
7           nitive, social, emotional, and physical development,  
8           and approaches to learning;

9           “(4) providing a program with a minimum of a  
10          6-hour schedule per day; and

11          “(5) ensuring that prekindergarten teachers  
12          meet the requirements of this Act.

13   **“SEC. 668. REPORTING.**

14          “(a) QUALIFIED PREKINDERGARTEN PROVIDER RE-  
15    PORTS.—Each qualified prekindergarten provider that re-  
16    ceives a subgrant from a State under this Act shall submit  
17    an annual report, to the designated State agency, that re-  
18    views the effectiveness of the prekindergarten program  
19    provided. Such annual report shall include—

20           “(1) data specifying the number and ages of en-  
21           rolled children, and the family income, race, gender,  
22           disability, and native language of such children;

23           “(2) a description of—

24                   “(A) the curriculum used by the program;

1           “(B) how the curriculum supports chil-  
 2           dren’s cognitive, social, emotional, and physical  
 3           development and approaches to learning; and

4           “(C) how the curriculum is appropriate for  
 5           children of the culture, language, and ages of  
 6           the children served; and

7           “(3) a statement of all sources of funding re-  
 8           ceived by the program, including Federal, State,  
 9           local, and private funds.

10          “(b) STATE REPORTS.—Each State that receives a  
 11         grant under this Act shall submit an annual report to the  
 12         Secretary detailing the effectiveness of all prekindergarten  
 13         programs funded under this Act in the State.

14          “(c) REPORT TO CONGRESS.—The Secretary shall  
 15         submit an annual report to Congress that describes the  
 16         State programs of assistance for prekindergarten pro-  
 17         grams funded under this Act.

18         **“SEC. 669. AUTHORIZATION OF APPROPRIATIONS.**

19                 “There are authorized to be appropriated to carry out  
 20         this Act—

21                 “(1) \$5,000,000,000 for fiscal year 2008;

22                 “(2) \$6,000,000,000 for fiscal year 2009;

23                 “(3) \$7,000,000,000 for fiscal year 2010;

24                 “(4) \$8,000,000,000 for fiscal year 2011; and

1 “(5) \$9,000,000,000 for fiscal year 2012.”.

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